

UNITED STATES DISTRICT COURT

United States Courts
Southern District of Texas
FILED

for the

Southern District of Texas

OCT 17 2019

David J. Bradley, Clerk of Court

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)Priority Express Mail parcel EJ064639312US; Addressed
to 8702 Rocky Knoll Lane, Rosenberg, TX 77469

Case No.

H19-1946M

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

Priority Express Mail parcel EJ064639312US, addressed to Isaac Omoruyi, 8702 Rocky Knoll Lane, Rosenberg, TX 77469 and currently located at 4600 Aldine Bender Rd., Houston, TX 77315,

located in the Southern District of Texas, there is now concealed *(identify the person or describe the property to be seized)*:

Controlled substances and/or narcotics proceeds

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
 21 USC 841(a)(1)
 21 USC 846

Offense Description
 Distribution of a controlled substance
 Conspiracy

The application is based on these facts:

- ☒ Continued on the attached sheet.
☐ Delayed notice of days (give exact ending date if more than 30 days:) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Lauren Brister
 Applicant's signature

Lauren E. Brister
 Printed name and title

Sworn to before me and signed in my presence.

Date: October 17, 2019

City and state: Houston, TX

Frances H. Stacy
 Judge's signature

Frances H. Stacy, U.S. Magistrate Judge
 Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In the Matter of the Search of:

United States Postal Service
Priority Express Mail Parcel
EJ064639312US

§
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§
§

Magistrate No.

H19-1946M

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Lauren E. Brister, being duly sworn, state the following:

1. I am employed as a United States Postal Inspector and I am currently assigned to the Houston Division Narcotics Team. I have been employed by the United States Postal Inspection Service for the past two years. I have received training by the US Postal Inspection Service (USPIS) in the investigation of controlled substances or narcotics proceeds being transported through parcel delivery services.

2. Affiant also relies upon the training and experience of other members of the USPIS Houston Division Narcotics Team. The team is comprised of six (6) members, two (2) of whom have been assigned to narcotics investigations for at least three (3) years. During that time, the USPIS Houston Division Narcotics Team has intercepted in excess of five thousand (5,000) parcels which were found to have contained controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances.

3. Experience and drug trafficking intelligence information gathered by the USPIS have demonstrated that the U. S. Postal Service Priority Express Mail and Priority Mail are frequently utilized by drug traffickers for shipping controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. Use of Priority Express Mail and Priority Mail are favored because of the speed (Express Mail - overnight; Priority mail - two day delivery), reliability, free telephone and Internet package tracking services, as well as the perceived minimal chance of detection. Priority Express Mail and Priority Mail were originally intended for urgent, business to business, correspondence. Intelligence from prior packages, which were found to contain controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, has indicated that these parcels are usually addressed from an individual to an individual. Priority Express Mail and Priority Mail are seldom used for individual to individual correspondence.

4. In an effort to combat the flow of controlled substances through the overnight delivery services, interdiction programs have been established in cities throughout the United States by the USPIS. These cities have been identified as known 'sources' of controlled substances. The USPIS conducts an ongoing analysis of prior packages mailed through overnight delivery services, which were found to contain controlled substances or proceeds/payments of controlled substance sales. The analysis of prior packages, which were found to contain controlled substances or

the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, indicated that these parcels are usually sent from an individual to an individual. In the few cases when overnight delivery packages containing controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, have displayed a business or company name, it has usually proven to be fictitious or used without the owner's knowledge and consent. Additionally, this analysis has established a series of characteristics which, when found in combination of two (2) or more, have shown a high probability that the package will contain a controlled substance or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. Information collected by the USPIS has demonstrated that the presence of these characteristics is significant for delivery services, to include U. S. Postal Service Priority Express Mail, Federal Express, and United Parcel Service. This profile includes, but is not limited to, the following characteristics: package mailed from or addressed to a narcotic source city; package has a fictitious return address; package addressee name is unknown at the destination address; package sender name is unknown at the return address; package has address information which is handwritten; package is mailed to or from a Commercial Mail Receiving Agency (CMRA); package is addressed from an individual to an individual; phone numbers listed on the package are not related to the listed parties or are not in service; packages are wrapped and/or heavily taped; frequency of the mailings is inconsistent

with normal use absent a business relationship; and the ZIP Code from where the package is mailed is different than the ZIP Code used in the return address.

5. The USPIS analysis of prior narcotics packages mailed through overnight delivery services has consistently shown that the identification of source cities has proven to be one of several reliable characteristics used in identifying suspect parcels. This analysis has also demonstrated that narcotics parcels originating from states other than source locations have been consistently found to contain designer drugs, such as Ecstasy, GBL, GHB, Anabolic Steroids, and other similar controlled substances. Generally such designer drugs are not organic and are the product of a laboratory process.

6. This affidavit is made in support of an application for a Federal search warrant to search United States Postal Service (USPS) Priority Express Mail Parcel EJ064639312US (Subject Parcel), described more particularly as follows:

Subject Parcel

Addressee: Isaac Omoruyi
8702 Rocky Knoll Lane
Rosenburg, TX 77469

Sender: Jose Nerrvo
2101 S College Ave
Phila, Pa 19121

Size/Dimensions:	USPS Priority Express Mail Flat Rate Envelope Approximately 12.5" x 9.5"
Postmarked:	October 15, 2019
Postmark Origin:	33615
Postage Amount:	\$25.50
Weight:	7.1 oz.

7. Prior investigations conducted by Postal Inspectors have identified Rosenberg, TX and surrounding areas as a destination area for controlled substances and proceeds from the sale of controlled substances. Your affiant knows that the source city, Philadelphia, PA and surrounding areas have been designated as a source area for narcotics and controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances.

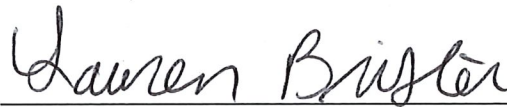
8. On October 16, 2019, Affiant retrieved the suspicious parcel from the North Houston, TX Processing Plant. The Priority Mail Express Parcel contained hand written sender and addressee information and the postmark origin and "from" address did not match. The parcel's postage indicated that the parcel was mailed from a post office in Tampa, FL, but the return address written on the parcel by the sender is an address in Philadelphia, PA. The suspicious parcel was then secured by the Affiant in Houston, TX.

9. On October 16, 2019, Affiant began the initial investigation. Affiant reviewed available public and Postal Service records and determined the listed return

address; 2101 S. College Ave., Phila, PA 19121 is a valid address, but the address is for a boarding school. The name listed on the on the parcel, Jose Nerrvo, is not associated with the address. Affiant reviewed available Postal Service and public records and determined the listed destination address, 8702 Rocky Knoll Lane, Rosenberg, TX 77469 is a valid address, but the address is not associated with the name Isaac Omoruyi that is listed on the parcel.

10. On October 16, 2019, your Affiant obtained the assistance of James Lockley Canine Officer with the Houston Police Department and certified handler of canine "Chelsea". Officer Lockley and "Chelsea" are certified as a team in the detection of controlled substances. Officer Lockley and "Chelsea" received their certification through the National Narcotic Detector Dog Association (NNDDA). "Chelsea" has numerous hours of training in the detection of controlled substances such as Marijuana, Cocaine, Methamphetamine, MDMA and Heroin. "Chelsea" has successfully alerted on concealed controlled substances in numerous prior cases, which has led to the arrest of numerous suspects for drug law violations. "Chelsea" was last certified November, 2018. Upon Officer Lockley's arrival, "Chelsea" was allowed to examine three (3) boxes which had been placed on the floor in an area known not to be contaminated with the odor of controlled substances. Two of the boxes were "dummy" boxes (boxes containing no controlled substances) and the third one was the Subject Parcel. "Chelsea" conducted an exterior examination of all three (3) packages. Officer Lockley advised your Affiant that canine "Chelsea" indicated a positive alert to the presence of a controlled substance scent inside the Subject Parcel.

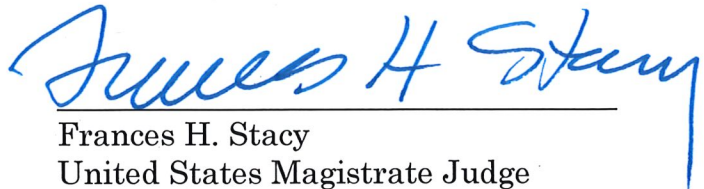
11. Based on the facts set forth above, there is probable cause to believe that The Subject Parcels contain one or more controlled substances, drug paraphernalia, proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, and material relating to the distribution of same. In the past, all of the above factors have been indicative of packages which contained illegal controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. The parcels are currently in the custody of your Affiant. Affiant, therefore, seeks the issuance of a search warrant for the seizure of these parcels, and the contents contained therein and any other evidence, fruits of crime, and instrumentalities, in violation of Title 21, United States Code, Sections 841(a)(1), and 846.



Lauren E. Brister
U. S. Postal Inspector

Subscribed and sworn to before me at Houston, Texas, on this the

17 day of October, 2019 and I find probable cause.



Frances H. Stacy
United States Magistrate Judge